

REMARKS

Claims 1, 2 and 4-34 are pending in this application. Applicants have amended selected claims to more clearly define the invention, and not for reasons of patentability. Claim 3 has been canceled without prejudice or disclaimer. Reconsideration and allowance of all the rejected claims are respectfully requested in view of the following remarks.

Allowable Subject Matter

Applicants thank the Examiner for the allowance of Claim 34, and for indicating the allowable subject matter contained in Claims 30-32.

Claims 30 and 31 have been rewritten in independent form to include all the limitations of base Claim 28. Accordingly, allowance of Claims 30-32 is respectfully requested.

Claim Rejection Under 35 U.S.C. §102

Claims 1-7, 10-16, 21, 22, 24, 27-29, and 33 are rejected under 35 U.S.C. 102(e) as allegedly being anticipated by Schutz et al. (U.S. Patent No. 7,108,276). Applicants respectfully traverse this rejection.

Independent Claim 1 recites, among other things, a bracket for an airbag subassembly, wherein the retention members are formed integral with the base, and wherein the retention members are bent to form an angle with and extend from the base into the inflator opening, the retention members being approximately perpendicular to said base, wherein the retention members are curled in shape to form a surface defining a cavity extending perpendicular to the base. Independent Claim 10 recites, among other things, a bracket for an airbag assembly,

wherein said retention members are formed at an arcuate interface portion at the base, and are integral with the base, wherein the retention members are adapted to extend substantially perpendicular to the base, and wherein said retention members are arcuate in shape and adapted to extend through the apertures in the support structure into the inflator opening, as substantially recited in independent Claims 28 and 33.

Schutz et al. disclose a gas bag module 10, which is fastened by detent hooks 12 to a part 14, which is fixed to a steering wheel (see Schutz et al., Figure 1, col. 2, lines 42-45). Schutz et al. further disclose that the detent hook 12 has at its free end an abutment surface 40 for engaging a detent element 15, and also has a sliding surface 42 for insertion into a steering wheel (see Schutz et al., Figure 3, col. 3, lines 4-8). Finally, Schutz et al. teach that the detent hooks 12 have a planar shape that are attached to the base (see Schutz et al., Figures 3 and 7). Schutz et al. fail to teach or suggest retention members which are bent to form an angle with and extend from the base into the inflator opening, wherein the retention members are curled in shape to form a surface defining a cavity extending perpendicular to the base, which extend into the inflator opening. Furthermore, Schutz et al. fail to teach or suggest retention members which are formed at an arcuate interface portion at the base, and are integral with the base, wherein the retention members are adapted to extend substantially perpendicular to the base, and wherein said retention members are arcuate in shape and adapted to extend through the apertures in the support structure into the inflator opening.

Based on the foregoing, Applicants' claimed subject matter is distinguished over the disclosure of Schutz et al. Since Schutz et al. neither teach, nor suggest, the invention as claimed in independent Claim 1 and its dependent Claims 2 and 4-8, the invention claimed in independent Claim 10 and its dependent Claims 11-27, independent Claim 28 and its dependent Claim 29, or independent Claim 33, these claims are clearly not anticipated by or rendered obvious over Schutz et al.'s disclosure. For the foregoing reason, reconsideration and allowance of these claims are requested.

Claim Rejections Under 35 U.S.C. §103

Claims 1-22, 24, 27-29, and 33 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Schutz et al. (U.S. Patent No. 7,108,276) in view of Berrahou et al. (U.S. Patent Publication No. 2004/0239080). Applicants respectfully traverse this rejection.

The Applicants respectfully submit that the addition of the Berrahou et al. reference does not make up for the deficiencies in Schutz et al.

As discussed above, Schutz et al. fail to teach or suggest retention members which are bent to form an angle with and extend from the base into the inflator opening, wherein the retention members are curled in shape to form a surface defining a cavity extending perpendicular to the base, which extend into the inflator opening. Further, Schutz et al. fail to teach or suggest retention members which are formed at an arcuate interface portion at the base, and are integral with the base, wherein the retention members are adapted to extend substantially perpendicular to the base, and wherein said retention members are arcuate in shape and adapted

to extend through the apertures in the support structure into the inflator opening. Regarding Claims 1, 10, 28 and 33, the Examiner further acknowledges that Schutz et al. fail to teach or disclose that "the retention members have first and second legs with a central leg disposed between said legs." The Examiner relies on Berrahou et al. for disclosing this feature.

Berrahou et al. disclose a planar base plate 10 for use in an inflatable restraint assembly in a vehicle, including an aperture 11, a plurality of fastening holes 14 that are positioned around the aperture to assist in positioning an inflator therein by receiving fasteners attached to or integral with the inflator (see Berrahou et al., Figure 1, paragraph 0013). Berrahou et al. further disclose a plurality of hooked tabs 20, which are positioned around the periphery 16 and the central aperture 12 (see Berrahou et al., Figure 1, paragraph 0014). Additionally, Berrahou et al. disclose a molded covering 30, 130 to cover the tabs 20, 120, thus forming a solid unitary body (see Berrahou et al., Figures 1 and 3, paragraph 0016). Berrahou et al. fail to teach or suggest retention members which are bent to form an angle with and extend from the base into the inflator opening, wherein the retention members are curled in shape to form a surface defining a cavity extending perpendicular to the base, which extend into the inflator opening. Berrahou et al. also fail to teach or suggest retention members which are formed at an arcuate interface portion at the base, and are integral with the base, wherein the retention members are adapted to extend substantially perpendicular to the base, and wherein said retention members are arcuate in shape and adapted to extend through the apertures in the support structure into the inflator opening.

Further, there is no motivation to combine Schutz et al. with Berrahou et al. as each reference is complete in themselves. There is no motivation to combine the detent hooks 12 of Schutz et al. with the hooked tabs 20 of Berrahou et al., and the resulting combination does not reach the claimed features of the present invention.

The Examiner is reminded that to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. (See MPEP 2143). The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

The Examiner is further reminded that "[R]ejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness." (*In re Kahn*, 441 F. 3d 977, 988 (CA Fed. 2006) cited with approval in KSR).

Since there is no suggestion or motivation, either in Schutz et al. or Berrahou et al., or in the knowledge generally available to one of ordinary skill in the art, to modify the references or to combine the reference teachings, the Examiner has failed to establish a *prima facie* case of obviousness.

As a result independent Claims 1, 10, 28 and 33 are neither taught, nor suggested, either by the individual, or the combination of Schutz et al. and Berrahou et al., and the rejection of Claims 1, 10, 28 and 33 under 35 U.S.C. §103, should be withdrawn.

Further, since Claims 2 and 4-9 depend from Claim 1, and Claims 11-27 depend from Claim 10, and Claim 29 depends from Claim 28, they are allowable at least by their virtue of dependency, but are also allowable over the applied prior art for the same reasons as cited above with respect to the independent claims.

Claims 23 and 26 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Schutz et al. (U.S. Patent No. 7,108,276) in view of Berrahou et al. (U.S. Patent Publication No. 2004/0239080) and in further view of Hodac et al. (U.S. Patent No. 5,775,725)

With respect to the rejection of Claims 23 and 26, Hodac et al. do not make up for the deficiencies of Schutz et al. and Berrahou et al.

Accordingly, Claims 23 and 26 are not obvious over the applied prior art, and the rejection of Claims 23 and 26 under 35 U.S.C. §103 should be withdrawn.

Claim 25 is rejection under 35 U.S.C. 103(a) as allegedly being unpatentable over Schutz et al. (U.S. Patent No. 7,108,276) in view of Berrahou et al. (U.S. Patent Publication No. 2004/0239080) and in further view of Mirone (U.S. Patent No. 6,457,379 B1).

Mirone does not make up for the deficiencies of Schutz et al. and Berrahou et al.

Thusly, Claim 25 is not obvious over the applied prior art, and the rejection of Claim 25 under 35 U.S.C. §103 should be withdrawn.

Thus, Claims 1, 2 and 4-34 are in form for allowance and such action is hereby solicited.

If the Examiner believes that there is any issue which could be resolved by a telephone or personal interview, the Examiner is respectfully requested to contact one of the undersigned attorneys at the telephone number listed below.

Applicants hereby petition for any extension of time which may be required to maintain the pendency of this case, and any required fee for such an extension is to be charged to Deposit Account No. 50-0951.

Respectfully submitted,

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